

Memorandum

Date: **MAR 17 2011**

To: Joe Grindstaff
Executive Officer
Delta Stewardship Council
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From: Sue Sims
Chief Deputy Director
Department of Water Resources

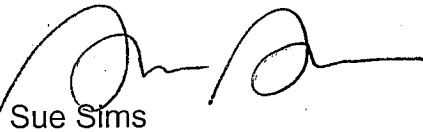
Subject: Comments on First Staff Draft Delta Plan dated February 14, 2011

This memorandum transmits the Department of Water Resources (DWR) comments of the First Staff Draft of the Delta Plan released by the Delta Stewardship Council (DSC) on February 14, 2011.

At this stage of development, the first staff draft plan is missing Chapters 4, 6, 10, 11 and 12 as well as the Executive Summary. Moreover, many of the Measures and Targets, and also the Working Categories of Potential Policies and Recommendations are still under development. Therefore, the DWR's comments are limited to the information provided in this first staff draft.

DWR's specific comments are provided in the attached document and are organized by chapter, section, and page number. Please note that as the Measures, Targets, Potential Policies, and Recommendations are developed, they may have significant impacts on the many programs and projects relative to the Delta that the DWR is involved with. Since the DSC will develop a total of seven versions of the Delta Plan, DWR will likely have more detailed comments on subsequent draft versions of this plan.

If you or your staff have any questions regarding the DWR's comments, please contact me at (916) 653-6055 or Robert Yeadon, Delta Regional Coordinator at (916) 651-7012.



Sue Sims
Chief Deputy Director

Attachment

cc: Kamyar Guivetchi
Jim Rich
Bob Yeadon
Art Hinojosa
Kathy Kelly

Comments on First Staff Draft Delta Plan
Dated 14 February 2011
Department of Water Resources
Submitted by Sue Sims, Chief Deputy Director

Chapter 1 The Delta Plan

General Comment: There does not seem to be a place in the Delta Plan for State Water Project (SWP) and/or Central Valley Project (CVP) projects currently being studied. For example, the Department of Water Resources' (DWR) Temporary Barriers Project, Non-Physical Barriers, Franks Track Project, and studies and related actions required under salmon and delta smelt Biological Opinions. DWR recommends adding a section describing on-going studies and potential outcomes especially regarding litigation issues.

p. 1-3 The Delta is Critical to all Californians

The last bullet states that: "The Delta ... lands support over 500,000 acres of agricultural crops." According to preliminary results of the 2007 Department Land Use Survey of the Delta, Delta cropped acreage in 2007 totaled only 427,549 acres, excluding fallowed fields.

Chapter 2 Purpose and Use of the Delta Plan

p. 2-3 Geographic Scope and Use of the Delta Plan

Starting on line 3, this plan describes the geographical areas covered by the Delta Plan which includes the entire Delta Watershed and the areas of the state that use water from the Delta. This plan would then cover most of California. The Delta Plan will define an integrated and legally enforceable set of policies, strategies and actions and will serve as a basis for future findings of consistency. In addition, one of the inherent objectives is to manage the Delta's water and environmental resources and the water resources of the state over the long term (Water Code Section 85020(a)). DWR is concerned that nearly every project, plan and policy of DWR would be subject to consistency determinations by the Stewardship Council. The plan describes the primary and secondary planning areas but it remains unclear exactly what the scope of this plan is or how it would be implemented. More clarification is needed with regard to the planning areas relative to consistency determinations.

p. 2-4 Inclusion and Consideration of Other Plans

The Department of Water Resource's California Water Plan, Lower San Joaquin River Study, and Delta Flood Emergency Preparedness and Response Plan should be

included in this list. The U.S. Army Corps of Engineers Delta Island Levees Feasibility Study (DILFS) (the Corps Delta Plan) and Central Valley Integrated Flood Management Study should be included also.

p. 2-5 Review and Update Process

This section alludes to a significant amount of monitoring to determine progress towards achieving the co-equal goals. Costs of this type of monitoring are significant and can take away funds meant to further progress towards these goals. The question of who pays is not discussed. DWR recommends that the Delta Plan formulate a strategy on who pays for monitoring as part of this plan.

Chapter 3, Organization of the Delta Plan

p. 3-1 Manage Water Resources

Water Code Section 85202 (a) is referenced again as an inherent objective. This implies that the Delta Plan will form the basis for all water management in California. There may be conflicts in mission with DWR's statutory responsibilities and authorities. The Delta Plan should clearly define the scope of this plan.

p. 3-2 Definitions

Consider including a definition of risk. Risk is mentioned many times in different contexts but there is no clear definition. It is important to define risk in each context and especially when considering risk reduction measures and cost-benefit calculations as opposed to probability estimates for a type of event or occurrence. There are clear parameters when calculating risk and how these are defined and translated will impact how people view the goals or performance measures of the plan.

Chapter 5, Manage Water Resources

p. 5-4 Findings, California's Water Supply... Improved Regional Water Supply Self-Reliance...

The first finding (lines 27 – 33) is inaccurate. DWR recommends using "Regional Water Self-Reliance" (drop the word supply from the title) because demand management, water quality improvements, etc., are also involved in regional water self-reliance.

p. 5-5 Findings

Lines 1 – 10 reference the 2005 California Water Plan. This is out of date. We recommend reviewing and citing The Water Plan Update 2009 that has been out for several months.

p. 5-5 Findings State Water Project Long-Term Average Water Delivery Reliability...

The SWP Delivery Reliability report should not be referenced for the last statement as the report does not evaluate the water supply reliability for other projects. DWR recommends striking the last sentence in this finding.

p. 5-7 Working Categories of Potential Policies and Recommendations

The working categories listed on this page could lead to sections of this plan that are of significant importance to DWR. Also, we suggest citing a number of other resource/water management strategies from Water Plan Update 2009 that will improve regional self-sufficiency and using the same strategy names for consistency between the two plans. In addition, there is nothing that relates to flood management (except storm water capture.) DWR recommends including a discussion of the integration of flood management with water supply.

Chapter 6, Restore Delta Ecosystem

pp. 6-3 to 6-7 Draft Findings, Policies, Performance Measures, and Targets

Many of the Findings are unclear and need more explanation. Also, with respect to the working categories, these could be of significant importance to DWR.

p. 6-6 Climate Change has Altered and Will Continue to Alter Flow Regimes

This finding may be a bit of an overstatement. Trends are suggesting earlier peak snow pack and subsequent reductions to spring runoff, but all flows have been well within the historical variability that DWR has measured and witnessed over the past century. Also, reservoir operations affect hydrology on most of the major river systems in California. DWR concurs with the statement that future conditions will or might change.

Somewhere in this document there should be a discussion of the economic impacts upon agriculture in the Delta and its watershed associated with restoration of large areas of agricultural land to habitat. Also consider the effect on agriculture if the current fresh water areas of the Delta are allowed to turn brackish.

Chapter 7, Water Quality

This Chapter is Under Development

Chapter 8, Reduce Risks to People, Property, and State Interests in the Delta

Chapter 8, p. 8-3 Findings

The text states that there is no overall emergency response plan for the Delta. This is not quite accurate. DWR provided a briefing to the Council on the development of our Delta Flood Emergency Preparedness and Response Plan. Moreover, DWR works with local and county emergency responders in the Delta under the Standardized Emergency Management System (SEMS) in the event of a flood through the Delta levees program and also through the Joint Operations Center. DWR is also conducting a large-scale emergency response exercise in the next few months with the Delta as a focal point.

The second finding that "Emergency Preparedness is the first line of Flood Defense" is not accurate. Emergency Preparedness includes planning, training, and resourcing for an emergency and is the last line of defense against flooding. Levees, floodplain management, river flow control practices and structures (impoundment and diversions) are among the first lines of defense.

p. 8-7 Working Categories of Potential Policies and Recommendations

Again - these Working Categories may be very significant to DWR once details are added.

Chapter 9, Protect and Enhance the Unique Cultural, Recreational, Natural Resources, and Agricultural Values of the California Delta as an Evolving Place.

p. 9-5 Findings – the Delta is an Agricultural Region of Great Value to the State...

The finding states "the value per acre contribution [of Delta agriculture] is greater than other agricultural regions in the state." That is not quite accurate. While there are some agricultural regions in California where the average gross revenue per acre value is less than that of the California Delta, there are even more regions where, in recent years, an average acre of irrigated farmland has produced greater gross revenues than it has in the Delta. These regions include the Napa Valley, Salinas Valley, the Santa Maria River Valley, Oxnard Plain, the west side of the San Joaquin Valley, the Imperial Valley, and the Coachella Valley.